IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 520 OF 2000

M/s. DBH International
Limited. .. Petitioners.

vs.

The Transport & Dock
Workers' Union. .. Respondents.

Ms. M. D'Souza i/by Haresh Mehta & Co.
for petitioners.
Ms. Anjali Helekar for respondents.

CORAM : S.U. KAMDAR, J.
DATE : 20th April, 2006.

P.C.:

. The learned counsel for the petitioner states that the issue raised in this petition is covered by the judgment of the Division Bench in Letters Patent Appeal No. 170 of 1996 being judgement dated 9.3.2005. The learned counsel states that the said Letters Patent Appeal was filed in respect of a set of workmen wherein the respondents herein were not parties. Even by an order dated 6.3.2000 passed in the review petition,

the leaned Single Judge has held that the judgment in the present matter is covered under the Letters Patent Appeal No. 170 of 1996 and therefore directed that the matter to be placed after disposal of the Letters Patent Appeal No. 170 of 1996. In view of the fact that the Letters Patent Appeal is now disposed of by the aforesaid judgment, the present writ petition is also disposed of in terms of the said order and judgment dated 9.3.2005 as corrected by further order dated 27.3.2005. In so far as the amount of deposit is concerned, the respondent workman will be entitled to withdraw the same to the extent of salary upto 31.12.1995 as directed by the appeal Court in para 26 of the judgment. The balance amount, if any, the petitioner is allowed to withdraw the same. Both the parties will be entitled to accrued interest thereon on their respective amount. The respondent workmen will filed the computation of their respective dues as on 31.12.1995 within a period of two weeks for the purpose of withdrawal of the said amount. It is thereafter only the petitioner will be entitled to withdraw the balance amount. Petition disposed of accordingly. No order as to costs.